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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,517	02/07/2002	Katsutoshi Inagaki	Q68458	7197

7590 01/18/2006

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EXAMINER
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LIN, KENNY S

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/067,517	Applicant(s) INAGAKI ET AL.	
	Examiner Kenny Lin	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2005.  
 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-4, 8-13, 17 and 18 is/are rejected.  
 7) ☒ Claim(s) 5-7 and 14-16 is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:  
         1. ☒ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. <u>hereto</u> .                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____.  | 6) <input type="checkbox"/> Other: _____.                                   |

### **DETAILED ACTION**

1. Claims 1-18 are presented for examination. Claims 19-20 are canceled.
2. A telephone interview was conducted on 1/5/2006 in response to applicant's interview request in the response to non-final action. Claims 1, 8-10, 17-18 were discussed. Examiner provided suggestions to draft claims 1 and 10 that are considered to distinguish patentably over the art of record in this application. However, the applicant responded on 1/11/2006, refusing to amend the claims as suggested.

### ***Allowable Subject Matter***

3. Claims 5-7 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. The following is an examiner's statement of reasons for allowance: None of the prior art of record fairly teaches or suggests all of the limitations recited in claims 5-7 and 14-16, especially the limitation of an accumulation session for accumulating distribution information, a distribution session, a state signal transmission session, an update information accumulation section, a result signal transmission section for diagnosing a failure state, a failure signal transmission section and a failure processing section.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 8-13 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada, US 6,735,619, in view of Leong et al (Leong), US 6,393,475.

7. Sawada and Leong were cited in the previous office action.

8. As per claim 1, 8-10 and 17-18, Sawada taught the invention substantially as claimed including a network system for connecting a terminal device via an agent module comprising:

- a. A terminal device (col.4, lines 10-13; fig.1: computer terminal 20); and
- b. An agent module disposed between a network and the terminal device, for relaying an access from the terminal device to the network (col.4, lines 20-44, col.5, lines 7-11; figs.1: gateway apparatus 12),
- c. Wherein the agent module includes a request signal transmission section for transmitting to the terminal device a request signal requesting to establish an

information transmission enabled state between the terminal device and the agent module (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-57), the request signal including identification information to identify the agent module (col.10, lines 40-57); and

i. The terminal device includes:

1. a reception section for receiving the transmitted request signal from an agent module for relaying an access from the terminal device to a network, the request signal including identification information to identify the agent module (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-57);
2. a first determination section for determining whether the agent module which has transmitted the request signal is an agent module to which the terminal device receiving the request signal is to be connected (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-57); and
3. an establishment section for establishing the information transmission enabled state between the terminal device receiving the request signal and the agent module which has transmitted the request signal, when the first determination section ascertains that the agent module which has transmitted the request signal is the agent module to which the terminal device receiving the request

signal is to be connected (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-67, col.11, lines 1-52).

9. Sawada did not specifically teach to connection a plurality of terminal devices. Leong taught that the network can connection a plurality of terminal devices via an agent module (col.6, lines 16-25; fig.2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Sawada and Leong because Leong's teaching of connecting with more than one terminal devices allows Sawada's network system to establish communications to more than one terminal devices.

10. As per claims 2 and 11, Sawada and Leong taught the invention substantially as claimed in claims 1 and 10. Sawada further taught that the agent module includes:

- a. An identification section for identifying whether another terminal device (col.4, lines 45-48) other than the terminal device is another authorized terminal device that is to be connected to the agent module, when the another terminal devices issues to the network a request for a connection to the terminal device to be connected to the network through the agent module (col.4, lines 45-56, col.5, lines 16-26, col.10, lines 40-49, col.11, lines 6-67, col.12, lines 1-19);
- b. A connection section for connecting the terminal device and the another terminal device after the information transmission enabled state is established between the agent module and the terminal device (col.4, lines 45-56, col.11, lines 6-67, col.12, lines 1-19); and

- c. when the identification section ascertains that the another terminal device is the another authorized terminal device to be connected to the agent module, the request transmission section outputs the request signal to the terminal device to establish the information transmission enabled state (col.4, lines 45-56, col.11, lines 6-67, col.12, lines 1-19).

11. As per claims 3 and 12, Sawada and Leong taught the invention substantially as claimed in claims 2 and 11. Sawada further taught that the another terminal device is used to remotely control information processing apparatus connected to the terminal device; and when the another terminal device and the terminal device are connected by the connection section, the another terminal device performs a processing for the remote control (col.4, lines 45-56, col.11, lines 6-67, col.12, lines 1-19).

12. As per claims 4 and 13, Sawada and Leong taught the invention substantially as claimed in claims 3 and 12. Sawada further taught that the information processing apparatus is information recording apparatus for recording information in a recording medium; and the another terminal device performs the remote control to set at least a time from which the information recoding apparatus starts a process for recording the information (col.11, lines 6-67, col.12, lines 1-19; tape record TV program).

***Response to Arguments***

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13. Applicant's arguments filed 11/1/2005 have been fully considered but they are not persuasive.

14. In the remark, applicant argued (1) No suggestion that the gateway apparatus sends any access request to any terminal apparatus. Sawada teaches that the client supplies request information. (2) There is no suggestion that the gateway apparatus transmits a request signal requesting to establish an information transmission enabled state between the one of the terminal devices and the agent module, the request signal including identification information to identify the agent module. (3) Sawada does not teach or suggest the feature of determining whether the agent module is an agent module to which the one of the terminal devices is to be connected.

15. Examiner traverse the argument that:

As to points (1), (2) and (3), Sawada taught that gateway apparatus functions has a WWW server (col.5, lines 46-50) which is well know and inherent that once a secure WWW server is requested, the WWW server functions to respond by sending an access request to prompt the user to enter login and password for authentication at the WWW server (shown by Sawada, col.10, lines 46-49). Although the initiation of establishment the information transmission is done by the terminal device, it does not deny the fact that the agent module to respond an access request to seek the user's entry for authentication. Furthermore, user's entry in response to the authentication is required to establish the information transmission (col.4, lines 20-44, 62-67, col.5, lines 1-50, col.10, lines 40-57). Further to points (2) and (3), since the establishment of the information transmission is initiated by a request from the terminal device, a response from the



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agent module to the terminal device inherently includes the identification information to identify the agent module and the terminal device inherently determines that the agent module is the one to which the request was sent when the response request is received. When a user of the terminal device submit a URL request, the WWW server responds by sending and presenting the content of the requested URL page to the terminal device, which in Sawada, the respond from the agent module is an access request prompting to seek user's login and password entry for the requested network.

### *Conclusion*

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Theriault et al, US 6,049,821.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl  
January 13, 2006

JOHN FOLLANSBEE  
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